

ROBERT R. BRYAN, Calif. Bar No. 079450  
 Law Offices of Robert R. Bryan  
 2088 Union Street, Suite 4  
 San Francisco, California 94123-4117  
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Attorney for Petitioner,  
 TERRY D. BEMORE

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

TERRY D. BEMORE,	)	Case No. 08CV0311-LAB (LSP)
	)	
Petitioner,	)	
v.	)	<b>MOTION FOR APPOINTMENT OF ZANDRA</b>
	)	<b>L. LOPEZ AS SECOND COUNSEL</b>
ROBERT L. AYERS, JR., Warden of	)	
California State Prison at San Quentin,	)	
	)	
Respondent.	)	<i>Death Penalty Case</i>
_____	)	

TO: THE HONORABLE LARRY ALAN BURNS, JUDGE

COMES Petitioner through Robert R. Bryan, lead counsel, who moves for the appointment of Zandra L. Lopez as (Calif. Bar No. 216567) as second counsel in this matter. She has extensive federal experience and is well qualified to represent Petitioner.

The undersigned has been in contact with Ms. Lopez since the day after the entry of the order releasing former second counsel. Order Granting Motion for Withdrawal of Second Counsel, Aug. 18, 2008. She has already begun a review of extensive case background. Yesterday during a meeting with lead counsel at the San Diego International Airport, Ms. Lopez displayed an impressive grasp of the case issues and facts, and a commitment to helping Petitioner. She is willing to accept an appointment

Motion for Appointment of Second Counsel

as second counsel, and Petitioner is thrilled over the prospect of her entering the case.

The following is a brief overview of the background of Ms. Lopez :

### **Education**

#### **George Washington University Law School, Washington, D.C.**

Juris Doctor, May 2001

Honors in Oral Advocacy

Articles Editor, Public Contracts Law Journal

Legal Research and Writing Dean's Fellow

#### **University of California, San Diego, La Jolla**

B.A. in Political Science, Minor in European Studies, June 1997

Provost's Honors

#### **L'Université Lyon II et Institute d'Etudes Politiques, Lyon, France**

Education Abroad Program, 1995-1996

Certificate in Political Science

### **Experience**

#### **Law Office of Zandra L. Lopez**

427 C Street, Suite 300

San Diego, CA 92101

2007-present

Focus primarily on direct appeals from the federal and state court and Section 2254 habeas appeals. Member of the appellate panel for the Southern District Court and Central District Court of California. Member of the appointed appellate counsel panel for the State of California.

#### **Federal Defenders of San Diego, Inc.**

Appellate Attorney, 2004-2007

Researched and wrote numerous appellate briefs to the Ninth Circuit Court of Appeals and presented oral argument. Supervised trial attorneys with their appellate briefs and oral argument. Represented clients in immigration detention through habeas petitions to the district court. Handled matters at the district court level from arraignment to sentencing.

#### **McKenna Long & Aldridge LLP, San Diego**

Associate Attorney, San Diego, 2001-2004

Summer Associate, Los Angeles, 2000

Represent clients in misdemeanor and felony criminal cases and complex civil litigation matters ranging from federal and state receiverships, business torts, contractual disputes, and securities claims. Extensive practice in legal research, brief writing, discovery preparation and client counseling.

#### **Office of the Public Defender, San Diego**

Legal Intern, Summer 1999


Researched and wrote motions on various criminal law issues. Prepared trial notebooks in preparation for misdemeanor trials. Prepared for various trials by interviewing cli-

1           ents and other witnesses. Conducted extensive client counseling in both misdemeanor  
2           and felony arraignment.

3           WHEREFORE, it is moved that Ms. Lopez be appointed as second counsel on behalf of Peti-  
4           tioner in this matter.

5           DATED: August 27, 2008

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7           Respectfully submitted,

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9           ROBERT R. BRYAN  
10           Attorney for Petitioner

1 ROBERT R. BRYAN, Calif. Bar No. 079450  
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3 San Francisco, California 94123-4117  
Telephone: (415) 292-2400  
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5 E-mail: RobertRBryan@aol.com

6 Lead counsel for Petitioner,  
TERRY D. BEMORE

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10  
11 TERRY D. BEMORE, ) Case No. 08CV0311-LAB (LSP)  
12 )  
Petitioner, )  
13 v. ) **DECLARATION IN SUPPORT OF MOTION**  
14 ) **FOR APPOINTMENT OF SECOND COUNSEL**  
ROBERT L. AYERS, JR., Warden of )  
15 California State Prison at San Quentin, )  
16 )  
Respondent. ) *Death Penalty Case*  
\_\_\_\_\_ )

17 I, ROBERT R. BRYAN, declare the following under penalty of perjury:

- 18  
19 1. I am lead counsel for Petitioner. Order Appointing Lead Counsel, Apr. 7, 2008.  
20  
21 2. The Court recently permitted former second counsel to withdraw. Order Granting Mo-  
22 tion for Withdrawal of Second Counsel, Aug. 18, 2008. The problems resulting in the lawyer's  
23 withdrawal were through no fault of Petitioner or lead counsel.  
24  
25 3. On August 19, 2008, I contacted Zandra L. Lopez, who was highly recommended by  
26 various attorneys who practice in the federal courts. Since then she and I have been in regular com-  
27 munication. Yesterday I flew to San Diego and met with her at the airport.  
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4.

Motion for Appointment of Second Counsel

4. Ms. Lopez has impressive credentials and extensive federal experience. I am particularly impressed with her quick grasp of complex legal issues and commitment to providing the highest caliber of representation to my client. Petitioner would be fortunate to be represented by her. He and I had a conference today, and he is thrilled over the prospect of Ms. Lopez entering the case.

5. The background of Ms. Lopez includes:

#### **Education**

##### **George Washington University Law School, Washington, D.C.**

Juris Doctor, May 2001

Honors in Oral Advocacy

Articles Editor, Public Contracts Law Journal

Legal Research and Writing Dean's Fellow

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##### **Federal Defenders of San Diego, Inc.**

Appellate Attorney, October 2004 to December 2007

Researched and wrote numerous appellate briefs to the Ninth Circuit Court of Appeals and presented oral argument. Supervised trial attorneys with their appellate briefs and oral argument. Represented clients in immigration detention through habeas petitions to the district court. Handled matters at the district court level from arraignment to sentencing.

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2 ery preparation and client counseling.

3 **Office of the Public Defender, San Diego**

4 Legal Intern, Summer 1999

5 Researched and wrote motions on various criminal law issues. Prepared trial notebooks  
6 in preparation for misdemeanor trials. Prepared for various trials by interviewing cli-  
7 ents and other witnesses. Conducted extensive client counseling in both misdemeanor  
8 and felony arraignment.

9 I declare under penalty of perjury the foregoing is true and correct.

10 Executed on this the 27th day of August, 2008, in San Francisco, California.

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12 ROBERT R. BRYAN  
13 Attorney for Petitioner  
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**DECLARATION OF SERVICE**

I declare that I am over 18 years of age, not a party to the within cause; my business address is Law Offices of Robert R. Bryan, 2088 Union Street, San Francisco, California 94123-4117. Today I have served a copy of the attached

**Motion for Appointment of Zandra L. Lopez As Second Counsel**

electronically or by placing a copy of same in the United States Mail, postage pre-paid and properly addressed, to:

Jessica Harry  
Death Penalty Law Clerk  
U. S. District Court, Southern District  
880 Front Street, Suite 4290  
San Diego, CA 92101-8900

Garrett Beaumont, Esq.  
Deputy Attorney General  
110 West "A" Street, Suite 1100  
P.O. Box 85266  
San Diego, CA 92186-5266

Terry D. Bemore (Petitioner)  
P.O. Box No. E-36301  
San Quentin State Prison  
San Quentin, CA 94974

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 27th day of August, 2008, at San Francisco, California.

  
ROBERT R. BRYAN